

Minutes of August 15, 1973, continued

6. West side of U.S. 50-99 Freeway, northwest of the Turner Road off-ramp in an area zoned FP, Floodplain District, and
7. Southwest corner of North Ham Lane and West Lockeford Street in an area zoned C-S, Commercial Shopping District.

This matter was heard on July 11, 1973, and at that time was continued to this date for a complete re-hearing.

Planning Director Schroeder introduced the matter and pointed out the locations of the signs on a map.

The City Attorney defined the term "Variance" and stated the conditions under which one could be granted by the Council.

Mr. Frank R. Ruggieri of Ruggieri, Brunn and Lacey, 1115 Eye Street, Modesto, representing Ryan Outdoor Advertising, Inc. spoke on behalf of the appeal. He asked that the four signs located in the area of the Freeway be allowed to remain until the Freeway is declared a landscaped freeway. He requested that the two local structures be allowed to remain until the property on which they are located is developed. He did agree that the sign located in the Floodplain District would be removed in accordance with the Outdoor Advertising Act of the State of California.

Mr. Harvey Berglund, President, Ryan Outdoor Advertising, Inc., 2050 West Fremont Street, Stockton, discussed the Outdoor Advertising Act.

Mr. Ruggieri then stated that Ryan Outdoor Advertising would agree to remove the two local structures within six months without compensation. He asked that the Council designate the time period granted for removal of the signs as an "amortization period."

City Attorney Mullen advised the Council that the Sign Ordinance provides for the amortization period.

There was no one else in the audience wishing to be heard on this matter and the public portion of this hearing was closed.

After Council discussion, Councilman Katnich moved the four freeway signs be allowed to remain in their present locations for a period of one year from this date or until the Freeway is declared a "Landscaped Freeway" and the two local signs to be removed within 90 days from this date.

The motion failed for lack of a second.

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Councilman Pinkerton then moved that the signs at the following locations be removed within 90 days from this date:

1. 1110 West Lodi Avenue.
2. West side of U.S. 50-99 Freeway, northwest of the Turner Road off-ramp.
3. Southwest corner of North Ham Lane and West Lockeford Street.

The motion was seconded by Councilman Ehrhardt and carried by unanimous vote.

Councilman Schaffer then moved that Ryan Outdoor Advertising be granted the requested Variances for signs located (1) west side of U.S. 50-99, 300 feet south of East Lockeford Street; (2) 250 feet north of East Lockeford Street between U.S. 50-99 Freeway and North Beckman Road; (3) east of U.S. 50-99 Freeway, northeast of Turner Road on-ramp; and (4) south side of East Lodi Avenue immediately west of U.S. 50-99 Freeway; provided the above signs are removed in accordance with Section 27-13 (h) (5.f.) of the Code of the City of Lodi which provides for removal of signs within two years of completion of a landscaped freeway.

The motion was seconded by Councilman Ehrhardt and passed by unanimous vote.

RECESS

Mayor Hughes declared a five-minute recess at approximately 9:22 p.m. The meeting reconvened at 9:27 p.m.

REZONE PARCEL W. SIDE S. CHURCH S. OF KETTLEMAN

ORD. NO. 1014 INTRODUCED

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Hughes called for the public hearing on the recommendation of the Planning Commission to rezone from the R-1, Single-Family Residential to the R-MD, Residential-Medium Density District a 3.2-acre parcel on the west side of South Church Street approximately 1600 feet south of Kettleman Lane.

Planning Director Schroeder introduced the matter and presented a drawing of the area proposed for rezoning.

Mr. Terry Piazza of Meyer, Baumbach and Piazza, 221 West Oak Street, spoke in favor of the proposed rezoning.

There were no other persons in the audience wishing to speak on the matter and the public portion of the hearing was closed.

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REZONE 4.8 ACRES
NW CORNER
CHEROKEE &
PIONEER

ORD. NO. 1015
INTRODUCED

Councilman Schaffer then moved the introduction of Ordinance No. 1014 rezoning a 3.2-acre parcel on the west side of South Church Street approximately 1600 feet south of Kettleman Lane to be in the R-MD, Residential-Medium Density District. The motion was seconded by Councilman Ehrhardt and carried.

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, the Mayor called for the public hearing to consider the recommendation of the Planning Commission to rezone from the C-1 Neighborhood Commercial District to the C-2, General Commercial District an approximate 4.8-acre parcel at the northwest corner of North Cherokee Lane and Pioneer Drive.

Planning Director Schroeder introduced the matter and presented a drawing of the area proposed for rezoning.

There was no one in the audience wishing to speak on the matter and the public portion of the hearing was closed.

Councilman Ehrhardt then moved introduction of Ordinance No. 1015 rezoning the above described property to be in the C-2, General Commercial District. The motion was seconded by Councilman Schaffer and carried by unanimous vote.

PLANNING COMMISSION

The City Manager gave the following report of the Planning Commission meeting of August 13, 1973:

ACTIONS OF INTEREST

1. Continued until September 11, 1973, consideration of recommending a change in zoning from the C-S, Commercial-Shopping Center District to an R, Residential zoning classification for an approximately 13-acre parcel bounded by West Turner Road, North Sacramento Street, Louie Avenue and North Church Street.
2. Set for Public Hearing on August 27, 1973, consideration of the Final Environmental Impact Report for an approximately 47-acre subdivision located at the southwest corner of West Lodi Avenue and South Ham Lane.
3. Set for Public Hearing on August 27, 1973, consideration of the request of Mr. Morgan D. Howell, A.I.A. on behalf of the Estate of Ada L. Hutchins for a change in zoning for an approximately 38-acre parcel located at the southwest corner of West Lodi Avenue and South Ham Lane from R-1, Single-Family Residential District to P-D(11).

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4. Set for Public Hearing on August 27, 1973, consideration of the Tentative Map for the Vintage Greens Subdivision, an approximately 47-acre subdivision comprised of 440 apartment units, 12 fourplex units, 32 duplex units, 36 single-family units, and a 5-acre commercial-professional site, said subdivision located at the southwest corner of West Lodi Avenue and South Ham Lane.
5. Recommended approval of the County-referred request of Mr. Ray Wintersteen for a Variance to reduce the minimum required front yard from 20 feet to 0 feet to allow the installation of a 6-foot-high security fence and an identification sign at 248 East Kettleman Lane in an area zoned C-M, Commercial-Manufacturing District with certain conditions:

Mayor Hughes then requested the Planning Commission to investigate and determine what wording might be used to amend the Zoning Ordinance to provide for erection of signs for the purpose of advertising local products such as tasting rooms, etc.

COMMUNICATIONS

PUC - PGE

A notice of hearing was received in the matter of Pacific Gas & Electric Company's application for authority to revise its gas service tariff to offset the effect of the increases in price of gas. The matter has been set for public hearing before the Public Utilities Commission on Monday, September 24, 1973, at 10:00 a.m.

CLAIM FOR INJURIES - N. NASSEREDDIN

The City Clerk presented a claim for personal injuries on behalf of Nasser Nassereddin in the amount of \$16,060.90. On motion of Councilman Ehrhardt, Katnich second, the Council rejected the claim and referred it to the City's Agent of Record.

UNITED VINTNER ADDITION

RES. NO. 3807

A petition was received from all of the owners of the land proposed to be annexed to the City of Lodi as the "United Vintners Addition." Said annexation was approved by the Local Agency Formation Commission of San Joaquin County on July 20, 1973. The Local Agency Formation Commission also granted the City power to waive notice and hearing on the proposed annexation pursuant to provisions of Section 549.71 of the Government Code.

On motion of Councilman Schafer, Ehrhardt second, the City Council adopted Resolution No. 3807 annexing the "United Vintners Addition" to the City of Lodi.

PEOPLE-TO- PEOPLE PROGRAM

Mayor Hughes read a letter received from Miss Maria Senzenberger in Austria wishing the people of Lodi best wishes on behalf of Mr. Bill Bishofberger who visited Austria on the People-to-People Program.

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REPORTS OF THE CITY MANAGER

CLAIMS Claims in the amount of \$76,250.16 were approved on motion of Councilman Ehrhardt, Schaffer second.

PARKING City Manager stated that at the Council meeting of August 1 he had informed the Council that it would be necessary to levy an ad valorem tax of \$.35 per \$100 assessed valuation within Parking District No. 1

DISTRICT #1

1973-74

TAX RATE

RES. NO. 3808 Councilman Schaffer pointed out that only those property owners within the Parking District would be paying the additional \$.35.

Councilman Pinkerton then moved the adoption of Resolution No. 3808 levying a \$.35 ad valorem tax within Parking District No. 1 and fixing the tax rate for fiscal year 1973-74 as follows:

General Fund	\$0.98
Pension Fund	\$0.20
Storm Drain Fund	\$0.20
Library Fund	\$0.20
Library Construction Fund	<u>\$0.10</u>
	\$1.68

The motion was seconded by Councilman Katnich and carried.

SOLID WASTE At the last meeting the Council heard a presentation from the Public Works Director regarding the Solid Waste Management Plan for San Joaquin County as submitted by the County-wide Solid Waste Management Committee, the Joint Environmental Health Committee of the Greater Stockton Chamber of Commerce and the San Joaquin Medical Society. At that time the Council agreed discussion of the Plan should be continued so that the public might have an opportunity to review the Plan and offer comments at this meeting.

Mrs. Darlene Avery, 430 Virginia Avenue, representing the San Joaquin County League of Women Voters, urged that more emphasis be put on resource recovery.

Mrs. Jean Short, 1137 Edgewood Drive, read a statement on behalf of Lodi Ecology Action urging more emphasis on resource recovery. She said her group supported the plan and recommended a study be made on the feasibility of establishing only one landfill for San Joaquin County.

After discussion, on motion of Councilman Pinkerton, Ehrhardt second, the Council approved the Solid Waste Management Plan for San Joaquin County as submitted.

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VACATE
EASEMENT -
N. CHURCH ST.

City Manager Graves reported the Public Works Director had recommended the City Council abandon an easement in Lot 6, Block 4 of Burr's Addition to Lodi. The easement was dedicated to the City on June 20, 1936. The Public Works Department had determined there was no present or future use for the easement. On motion of Councilman Pinkerton, Katnich second, the Council adopted its Order vacating an easement in Lot 6, Block 4, Burr's Addition to Lodi.

SPECS - FIRE
PUMPER

On motion of Councilman Pinkerton, Ehrhardt second, the Council approved specifications for the fire pumper and authorized advertising for bids thereon.

PLANS & SPECS -
SUBD. PAVING

On motion of Councilman Pinkerton, Schaffer second, the Council approved plans and specifications for Subdivision Paving - 1973 and authorized advertising for bids thereon.

PLANS & SPECS -
BECKMAN PARK
ST. IMPRVMTS.

On motion of Councilman Katnich, Pinkerton second, the Council approved plans and specifications for Beckman Park Street Improvements and authorized advertising for bids thereon.

PLANS & SPECS.
CHURCH ST.
SAN. SEWER

On motion of Councilman Ehrhardt, Schaffer second, the Council approved plans and specifications for Church Street Sanitary Sewer, Lockeford Street to Daisy Avenue, and authorized advertising for bids thereon.

AWARD - HUTCHINS
ST. IMPRVMTS.

The City Manager presented bids received for the Hutchins Street Improvements, Harney Lane to Kettleman Lane, as follows:

RES. NO. 3809

Claude C. Wood Co. \$162,883.00

Teichert Construction \$179,533.00

Mr. Graves recommended the award be made to the low bidder for the amount of the bid. On motion of Councilman Schaffer, Ehrhardt second, the Council adopted Resolution No. 3809 awarding the contract for the Hutchins Street Improvements to Claude C. Wood Company for a total of \$162,883.

AWARD - STREET
MATERIALS

Only one bid was received for street materials for the 1973-74 fiscal year. The bid was from Claude C. Wood Company as follows:

RES. NO. 3810

600 T 3/4" Class 2 aggregate base

A. \$1.85/T

B. \$3.25/T

200 T Concrete sand

A. \$2.00/T

B. \$3.40/T

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200 T 1/4" Crushed rock screenings
 A. \$3.10/T
 B. \$4.50/T

500 T Dense graded plantmix
 A. \$5.75/T
 B. \$7.15/T
 C. \$7.65/T

500 T Dense graded asphalt concrete
 A. \$5.50/T
 B. \$6.90/T
 C. \$7.40/T

3,500 T Dense graded asphalt concrete
 A. \$5.75/T
 B. \$7.15/T
 C. \$7.65/T

City Manager Graves recommended award of the bid. On motion of Councilman Katnich, Schaffer second, the Council adopted Resolution No. 3810 awarding the contract for furnishing the street materials to Claude C. Wood Company in accordance with the bid.

AWARD - HUTCHINS
 ST. LIGHTS

The City Manager presented bids received for Hutchins Street street light standards as follows:

RES. NO. 3811

Consolidated Electric \$ 9,211.40

Valley Electric Co. \$14,951.30

Mr. Graves recommended the award be made to the low bidder for the amount of the bid. On motion of Councilman Schaffer, Ehrhardt second, the Council adopted Resolution No. 3811 awarding the Hutchins Street street light project to Consolidated Electric for the amount of the bid.

ACCEPT KELLY
 ST. SAN.
 SEWER

The City Council, on motion of Councilman Schaffer, Ehrhardt second, accepted the Kelly Street, Pine Street and Cluff Avenue Sanitary Sewer Improvements and authorized the Public Works Director to file the Notice of Completion on the project.

ACCEPT SCUM
 REMOVAL
 FACILITY

The City Council, on motion of Councilman Pinkerton, Schaffer second, accepted the White Slough Scum Removal Facilities and authorized the Public Works Director to file the Notice of Completion on the project.

1973-74 CAPITAL
 IMPROVEMENT &
 UTIL. OUTLAY
 BUDGET

On motion of Councilman Katnich, Schaffer second, the Council introduced Ordinance No. 1016 adopting the Capital Improvement and Utility Outlay Budget for the City of Lodi for the fiscal year beginning July 1, 1973, and ending June 30, 1974, as presented, with the addition of \$21,000 to replace a sanitary sewer in Lodi Avenue.

ORD. NO. 1016
 INTRODUCED

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CLASS SPECS -
RES. NO. 3812

The City Manager presented class specifications for the classifications of Assistant Finance Director, Chief Sewage Plant Operator, Administrative Assistant - Public Works, Dispatcher Clerk Jailer (male), Dispatcher Clerk Jailer (female) and Dispatcher Clerk - Fire for Council approval.

On motion of Councilman Pinkerton, Mayor Hughes second, the Council adopted Resolution No. 3812 adopting class specifications for Chief Sewage Plant Operator and Assistant Finance Director.

The Council agreed by general consensus that the remaining specifications would be considered at the meeting of September 5 so that the Council might have additional time to review them.

MEDICAL
INSURANCE
RES. NO. 3813

The Council, on motion of Councilman Pinkerton, Schaffer second, adopted Resolution No. 3813 authorizing additional payment for employee medical insurance for fiscal year 1973-74.

METER HOLIDAYS
ORD. NO. 1017
INTRODUCED

The City Manager presented an ordinance for Council adoption which would amend Section 14-1 of Chapter 14 of the City Code entitled, "Motor Vehicles and Traffic," and thereby amending the definition of holidays (meter holidays).

Councilman Schaffer then moved introduction of Ordinance No. 1017 amending Chapter 14 of the City Code and thereby amending the definition of meter holidays. The motion was seconded by Councilman Ehrhardt and carried.

REAPPTMTS -
PLANNING COM.
LIBRARY BD.
PERSONNEL BD.

Mayor Hughes proposed the following reappointments to the Planning Commission, Library Board and Personnel Board:

Planning Commission

Dr. C. Robert Breckenridge (4-year term expiring June 30, 1977)

Library Board

Dr. Frank Johnson (3-year terms expiring June 30, 1976)
Lewis P. Singer, Jr.

Personnel Board

A. E. Sperring (4-year term expiring June 30, 1977)
A. D. Tussey

On motion of Councilman Katnich, Ehrhardt second, the Council concurred in these appointments.

S.J. COUNCIL
OF GOVMTS.

Mayor Hughes reported to the Council that the San Joaquin Council of Government had been designated as the planning agency for San Joaquin County for transportation planning and it would be necessary to appoint a delegate and alternate to that committee.

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CHAMBER
OF COMMERCE

Mayor Hughes reported he had received communications from the Lodi District Chamber of Commerce as follows:

1. Letter supporting the Solid Waste Plan for San Joaquin County.
2. Letter requesting the City to make a study of the feasibility of establishing Lee Street and Pleasant Avenue as one-way streets between Lodi Avenue and Lockeford Street.

On motion of Councilman Ehrhardt, Pinkerton second, the Council directed the staff to conduct this study as soon as possible.

3. Letter recommending the City expend \$6,000 for a feasibility study of the proposal to retain water in Lodi Lake on a year-round basis.

This had been approved by the City Council at a previous meeting and funds are provided in the 1973-74 budget for this project.

The Council requested the City Clerk to notify Ivan Suess, President of the Chamber of Commerce, of the Council's actions on the above items.

ORDINANCES

WATER
REIMBURSEMENT
POLICY

ORD. NO. 1012
ADOPTED

ORDINANCE NO. 1012, entitled, "AN ORDINANCE OF THE CITY OF LODI PROVIDING FOR EXTENSION OF WATER MAINS AND REIMBURSEMENT THEREOF WITHIN THE CITY OF LODI," having been introduced at a regular meeting on August 1, 1973, was brought up for passage on motion of Councilman Pinkerton, Katnich second. Second reading was omitted after reading by title and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - EHRHARDT, KATNICH,
PINKERTON, SCHAFFER,
and HUGHES

Noes: Councilmen - None

Absent: Councilmen - None

SAN. SEWER
REIMBURSEMENT
POLICY

ORD. NO. 1013

ORDINANCE NO. 1013, entitled, "AN ORDINANCE OF THE CITY OF LODI PROVIDING FOR EXTENSION OF SANITARY SEWERS AND REIMBURSEMENT THEREOF WITHIN THE CITY OF LODI," having been introduced at a regular meeting on August 1, 1973, was brought up for passage on motion of Councilman Schaffer, Ehrhardt second. Second reading was omitted after reading by title and the ordinance was then passed, adopted and ordered to print by the following vote:

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Ayes: Councilmen - EHRHARDT, KATNICH,
PINKERTON, SCHAFFER,
and HUGHES

Noes: Councilmen - None

Absent: Councilmen - None

WEINBERG
RESIGNS

Mayor Hughes announced the resignation of Harry
Weinberg from the Recreation Commission.

ADJOURNMENT

There being no further business, the meeting was
adjourned at approximately 11:05 p. m. on motion
of Councilmen Pinkerton.

Attest: 
BESSIE L. BENNETT
City Clerk